

Buchanan	Heller	Olson
Burgess	Hensarling	Paul
Burton (IN)	Herger	Paulsen
Buyer	Hoekstra	Pence
Calvert	Hunter	Petri
Camp	Inglis	Pitts
Campbell	Issa	Poe (TX)
Cantor	Jenkins	Posey
Capito	Johnson (IL)	Price (GA)
Carter	Johnson, Sam	Putnam
Castle	Jordan (OH)	Rehberg
Chaffetz	King (IA)	Reichert
Coble	King (NY)	Roe (TN)
Coffman (CO)	Kingston	Rogers (AL)
Cole	Kirk	Rogers (KY)
Conaway	Kline (MN)	Rogers (MI)
Connolly (VA)	Kosmas	Rohrabacher
Cooper	Lamborn	Rooney
Costa	Lance	Ros-Lehtinen
Crenshaw	Latham	Roskam
Critz	Latta	Royce
Culberson	Lee (NY)	Scalise
Dahlkemper	Lewis (CA)	Schmidt
Dent	Lofgren, Zoe	Schock
Diaz-Balart, L.	Lucas	Sensenbrenner
Diaz-Balart, M.	Luetkemeyer	Sessions
Driehaus	Lummis	Shadegg
Duncan	Lungren, Daniel	Shimkus
Ehlers	E.	Shuster
Fallin	Mack	Simpson
Flake	Manzullo	Smith (NE)
Fleming	Marchant	Smith (TX)
Forbes	McCarthy (CA)	Stearns
Fortenberry	McCaul	Sullivan
Fox	McClintock	Terry
Franks (AZ)	McCotter	Thompson (PA)
Frelinghuysen	McHenry	Thornberry
Gallegly	McKeon	Tiahrt
Garrett (NJ)	McMorris	Tiberi
Gerlach	Rodgers	Turner
Gingrey (GA)	Mica	Upton
Gohmert	Miller (FL)	Walden
Goodlatte	Miller (MI)	Wamp
Granger	Miller, Gary	Westmoreland
Griffith	Minnick	Whitfield
Guthrie	Moran (KS)	Wilson (SC)
Hall (TX)	Moran (VA)	Wittman
Harper	Myrick	Wolf
Hastings (WA)	Neugebauer	Young (AK)
	Nunes	Young (FL)

NOT VOTING—12

Boren	Graves	Radanovich
Brown-Waite,	Hastings (FL)	Ryan (WI)
Ginny	Linder	Sablan
Davis (AL)	Melancon	
Davis (KY)	Pierluisi	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 2 minutes remaining in this vote.

□ 2216

Mr. BOYD changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. SKELTON. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CAPUANO) having assumed the chair, Ms. McCOLLUM, Acting Chair of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5136) to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, to prescribe military personnel strengths for such fiscal year, and for other purposes, had come to no resolution thereon.

ENROLLED BILL SIGNED

Lorraine C. Miller, Clerk of the House, reported and found truly en-

rolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5128. An act to designate the United States Department of the Interior Building in Washington, District of Columbia, as the "Stewart Lee Udall Department of the Interior Building".

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2011

The SPEAKER pro tempore. Pursuant to House Resolution 1404 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5136.

□ 2218

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5136) to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, to prescribe military personnel strengths for such fiscal year, and for other purposes, with Mr. SCHRADER (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 47 offered by the gentleman from Maryland (Mr. SARBANES) had been disposed of.

AMENDMENTS EN BLOC NO. 8 OFFERED BY MR. SKELTON

Mr. SKELTON. Mr. Chairman, pursuant to House Resolution 1404, I offer amendments en bloc No. 8.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 8 offered by Mr. SKELTON consisting of amendments numbered 56, 58, 59, 65, 69, 71, 76, and 78 printed in House Report 111-498:

AMENDMENT NO. 56 OFFERED BY MRS. DAHLKEMPER OF PENNSYLVANIA

The text of the amendment is as follows:

Page 122, after line 18, insert the following:

SEC. 359. AUTHORITY TO MAKE EXCESS NONLETHAL SUPPLIES AVAILABLE FOR DOMESTIC EMERGENCY ASSISTANCE.

(a) DOMESTIC AUTHORITY.—Section 2557 of title 10, United States Code, is amended—

(1) in subsection (a)(1), by adding at the end the following new sentence: "In addition, the Secretary may make nonlethal excess supplies of the Department available to support domestic emergency assistance activities."; and

(2) in subsection (b)—

(A) by inserting "(1)" before "Excess"; and

(B) by adding at the end the following new paragraph:

"(2) Excess supplies made available under this section to support domestic emergency assistance activities shall be transferred to the Secretary of Homeland Security. The Secretary of Defense may provide assistance in the distribution of such supplies at the request of the Secretary of Homeland Security."

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

"§2557. Excess nonlethal supplies: availability for humanitarian relief, domestic emergency assistance, and homeless veterans assistance".

(2) TABLE OF SECTIONS.—The item relating to such section in the table of sections at the beginning of chapter 152 of such title is amended to read as follows:

"2557. Excess nonlethal supplies: availability for humanitarian relief, domestic emergency assistance, and homeless veterans assistance."

AMENDMENT NO. 58 OFFERED BY MRS.

KIRKPATRICK OF ARIZONA

The text of the amendment is as follows:

Page 122, after line 18, insert the following:

SEC. 359. RECOVERY OF MISSING DEPARTMENT OF DEFENSE PROPERTY.

(a) IN GENERAL.—Section 2789 of title 10, United States Code, is amended to read as follows:

"§2789. Recovery of Department of Defense property: unauthorized or improper disposition

"(a) PROHIBITIONS.—No member of the armed forces, civilian employee of the Government, employee or agent of a contractor, or any other person may sell, lend, pledge, barter, give, transfer, or otherwise dispose of any clothing, arms, articles, equipment, or any other military or Department of Defense property—

"(1) to any person not authorized to receive the property in accordance with applicable requirements established by the Department of Defense or a component thereof; or

"(2) in violation of applicable demilitarization regulations of the Department of Defense or a component thereof.

"(b) SEIZURE OF IMPROPERLY DISPOSED OF PROPERTY.—If a member of the armed forces, civilian employee of the Government, employee or agent of a contractor, or any other person has improperly disposed of military or Department of Defense property in violation of subsection (a), any civil or military officer of the United States or any State or local law enforcement official may seize the property, wherever found. Title to military or Department of Defense property disposed of in violation of subsection (a) remains with the United States. Possession of such property by a person who is neither a member of the armed forces nor an official of the United States is prima facie evidence that the property has been disposed of in violation of subsection (a).

"(c) DELIVERY OF SEIZED PROPERTY.—Any official who seizes property under subsection (b) and is not authorized to retain it for the United States shall immediately deliver the property to an authorized member of the armed forces or other authorized official of the Department of Defense or the Department of Justice.

"(d) RETROACTIVE ENFORCEMENT AUTHORIZED.—This section shall apply to any military or Department of Defense property which was the subject of unauthorized disposition any time after January 1, 2002. This section shall apply to significant military equipment which was the subject of unauthorized disposition at any time.

"(e) SEVERABILITY CLAUSE.—In the event that any portion of this section is held unenforceable, all other portions of this section shall remain in full force and effect.

"(f) DEFINITION.—In this section, the term 'significant military equipment' means defense articles on the United States Munitions List for which special export controls are warranted because of their capacity for substantial military utility or capability."

(b) CLERICAL AMENDMENT.—The item relating to such section in the table of sections at